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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,951	03/31/2004	R. Clark Jeffery	976-4/MBE	4889
38735	7590	09/21/2005		
DIMOCK STRATTON LLP 20 QUEEN STREET WEST SUITE 3202, BOX 102 TORONTO, ON M5H 3R3 CANADA			EXAMINER KOYAMA, KUMIKO C	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/812,951

Applicant(s)

JEFFERY, R. CLARK

Examiner

Kumiko C. Koyama

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Amendment received on May 23, 2005 has been acknowledged.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 9-13 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dolin, Jr. (US 5,519,878) in view of Hirata et al (JPO 10-164627).

Re claims 1, 2, 4, 10, 11 and 13: Dolin teaches a system for installing and configuring (grouping and node address assignment) household devices in an automated environment. Such household devices include light fixtures (col 12, lines 19-24). Dolin teaches node ID bar codes and a bar code reader/light pen device 560 use to read bar codes off adhesive labels with node ID's on them which have been placed at specific physical locations on a paper floor plan (col 9, line 60-col 10, lines 5). As shown in Fig. 6, the bar code reader unit 550/560 is attached to a computer system 600 (Fig. 6). Dolin teaches that the installer obtains unique ID for the network intelligent cell controlling the light on a hard copy medium, and the medium will be affixed to a floor plan representative of the position of the light 104 in the structure (col 13, lines 9-15). Upon completing of physical installation of all nodes in the automated house, the installer retains the floor plan of the network along with the associated bar code label affixed at each of the

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positions on the floor plan in order to indicate physical position of nodes in the network (col 13, lines 19-26). The configuration manger activates the automatic configuration device, such as a work station or personal computer activating a configuration process on the device in order to associated the unique ID's with physical locations in the network. The configuration manager selects, via a text or graphical user interface (GUI), physical locations in the computer displayed version of the floor plan, and automatically read in each unique node ID from the paper floor plan using an automatic input device, which is a bar code reader (col 13, lines 30-40). Then the node ID's are associated with positions on the display of the configuration device such as X, Y locations, object ID or other method of associating unique numbers with locations on a display screen (col 13, lines 40-45). The computer reads in the unique ID and is stored as shown in step 707 of Fig. 7a. Therefore, the above described disclosure of Dolin teaches a microprocessor (computer) comprising a database for receiving information collected by the reader and associating the unique indicia with corresponding information in the database, wherein when the plurality of labels are each physically associated with one of the plurality of light fixtures. Dolin also teaches a floor plan that associates the light fixtures and the associated labels as described above.

Dolin fails to teach generating a report and that the report specifies a sequence of fixture maintenance based on the relative locations of the light fixtures.

Hirata teaches a planned inspection route that has an order of the plants that the plant inspector is to inspect. Hirata also teaches that the next plant to inspect is also determined.

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Hirata to the teachings of Dolin in order to

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provide the best route to go through all the planned maintenance, so that the repair or maintenance person may take the fastest, smoothest, and most efficient route to finish all his work in a faster manner.

Re claims 3 and 12: Dolin teaches switches 105-108 when these switches are closed, the I/O circuitry 202 may detect the state change and pass the information along to the cell 201, which then transmits that information onto the communication medium 110. This controls certain lights and/or other devices that are present in the house 100 shown in Fig. 1 (col 5, lines 37-44).

Re claims 9 and 18: Dolin teaches an object identification (col 40-44), which describes a type of an object.

3. Claims 5, 6, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dolin in view of Hirata as applied to claim 1 above, and further in view of Kirkeby et al (US 5,471,042). The teachings of Dolin as modified Hirata have been discussed above.

Dolin as modified by Hirata fails to teach that the bar code scanner comprises a display and a keypad for manually entering information into the scanner.

Kirkeby discloses a handheld data entry terminal 10 that optically reads data-encoded symbols such as barcode symbols (col 3 lines 13-16). The handheld data entry terminal 10 includes a liquid crystal display 14 and a keypad 16. Kirkeby also teach a keypad for entering alphanumeric data (col 2, lines 15-20).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Kirkeby to the teachings of Dolin as

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modified by Hirata in order to manually update information regarding individual light fixture after each repair or maintenance and to confirm that the entered information is correctly entered.

4. Claims 7, 16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dolin in view Hirata as applied to claim 1 above, and further in view of Benson et al (US 5,635,693).

The teachings of Dolin as modified by Hirata have been discussed above.

Dolin as modified by Hirata fails to teach that the information in the database includes repair history information for each light fixture.

Benson discloses a tag having identification for each vehicle and the information associated with the tag and the vehicle is stored into the central computer (col 3 lines 66+, col 4 lines 45+). The computer includes information that contains the service records of the vehicle (col 11 lines 54-57, col 12 lines 48-51). Benson discloses that the information gathered by the base station (120) can be transferred among remote computers (140) and the main computer (130) via communication lines (145) (col 6 lines 53+).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Benson to the teachings of Dolin as modified by Hirata and include repair history information in the database in order to provide information concerning periodic maintenance and to prevent further malfunction, if more repair is needed.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dolin and Hirata as applied to claim 1 above, and further in view of Beller et al (US 5,602,377). The teachings of Dolin as modified by Hirata have been discussed above.

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Dolin as modified by Hirata fails to teach that the information in the database includes warranty information for each light fixture.

Beller teaches that information in the database includes length of warranty period (col 9 lines 41-13).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Beller to the teachings of Dolin as modified by Hirata and include warranty information in the database in order to constantly provide an operable light fixture.

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dolin in view of Hirata as applied to claim 11 above, and further in view of Beller. The teachings of Dolin as modified by Hirata have been discussed above.

Dolin as modified by Hirata fails to teach that the information in the database includes warranty information for each light fixture.

Beller teaches that information in the database includes length of warranty period (col 9 lines 41-13).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Beller to the teachings of Dolin as modified by Hirata and include warranty information in the database in order to constantly provide an operable light fixture.

Response to Arguments

7. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

The Examiner has provided new grounds of rejection because the Examiner recognized that Dolin should have been the primary reference and the rejection is now based on two prior art references, which is fewer than the previously submitted office action. The Examiner has also interpreted the claims and prior art references differently from the previously submitted office action. Subsequently, this action is non-final.

Additionally, with respect to foreign references, the Examiner respectfully submits that the Examiner is not required to provide a fully translated foreign reference.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kumiko C. Koyama whose telephone number is 571-272-2394. The examiner can normally be reached on Monday-Friday 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kumiko C. Koyama
September 19, 2005


MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
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